

## **Election Day Observation Program**

### **June 5, 2012, Presidential Primary Election Report**

**August 29, 2012**

This report summarizes the work of the Election Day Observation Program conducted by the Secretary of State (SOS) during the June 5, 2012, Presidential Primary Election.

Overall, the election that saw more than 5.3 million ballots cast and involved over 100,000 poll workers in almost 22,000 precincts went smoothly. SOS observers witnessed first-hand the dedication and helpfulness county elections officials and poll workers showed to voters. However, no election is flawless, and on June 5, 2012, some voters and poll workers confronted a number of different issues that are discussed in this report.

#### **Election Day Observation in 2012**

For the June 5, 2012, Presidential Primary Election, SOS sent 22 observers (2 observers in Los Angeles County) to 21 counties. Counties visited were:

Alameda	Lake	Sacramento	San Mateo
Calaveras	Los Angeles	San Bernardino	Santa Clara
Contra Costa	Merced	San Diego	Sonoma
Fresno	Napa	San Francisco	Stanislaus
Glenn	Riverside	San Joaquin	Ventura
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Observers were instructed to:

- Look for posted signs and flags to determine if polling places were easy to find;
- Report on any accessibility problems related to parking or the facility itself;
- Assess the effectiveness of poll worker training and voter education in how well the county implemented and answered questions from voters regarding the new Top Two Candidates Open Primary;
- Note if there was a high incidence of voters going to the wrong polling place and describe how poll workers handled the situation;
- Assess the voting environment as to proper lighting, effective staging of poll worker tables and voting equipment, and voter privacy;
- Determine if all required voter information was posted or available and easy to read in all legally required languages;
- Observe whether accessible voting booths and equipment were set up and readily available;
- Assess if the voting process was well organized;
- Report if voters were required to wait in line for more than 10 minutes;

- Report any issues that appeared to be confusing to either poll workers or voters;
- Determine if security measures for ballots and voting equipment were being followed; and,
- If possible, without disrupting the voting process or disturbing voters, ask poll workers if they had experienced any difficulties with equipment, procedures, or voter confusion.

SOS observers were instructed to call in reports of any problems or challenges they felt needed immediate attention from either county elections officials or the SOS. They were also asked to provide an overview on issues that were common to the polling places they visited and any apparent underlying causes and/or possible remedies.

## **Issues**

SOS observers reported only a few problems encountered by voters and poll workers on Election Day, along with some creative approaches taken by county elections officials to assist voters.

The issues noted by the SOS observers in this election fall into seven basic categories:

- Ballots and Registration
- Signs and Flags
- Polling Facilities
- Voting Equipment
- Poll Worker Training

### **Ballots and Registration**

There were few voter registration issues observed in any of the counties visited by SOS observers. Most were related to voters appearing at the wrong polling place frequently due to county consolidation of precincts. In these instances poll workers either redirected them to the correct location or instructed them on how to cast a provisional ballot. As has been the case in the last three election cycles, many voters brought their voted vote-by-mail ballots to the polling place on Election Day.

A surprising challenge came about as a result of the newly implemented Top Two Candidates Open Primary, in which the two candidates with the highest number of votes become the final candidates in the General Election, regardless of political party. In the race for U.S. Senate, there were 24 candidates on the ballot, requiring many counties to list the candidates in two columns. Some voters were confused, not only by the two columns of names, but by the title “Top Two” and thought they were required to vote for two candidates or thought the second column of names was for a different office. As a result, there was a larger than usual number of spoiled ballots, because voters voted for one candidate in each column before they realized that only one vote was allowed. Poll workers in some precincts explained to each voter as they were handed their ballot that they were to vote for only one person in the U.S. Senate race, regardless of the number

of columns. Despite the fact that the Secretary of State furnished each county with a sign explaining the Top Two Candidates Open Primary, counties did not always post the signs as required (one inside the polling place and another just outside the entrance to the polling place).

### Signs and Flags

As has been the case in previous elections, the most common problem noted was poor visibility of polling places or a lack of proper signage. Following are problems that SOS observers found in several counties.

- Location signs were too small. Those locations that were able to hang full-sized flags outside the door were easily spotted.
- Location signs were posted too far from the road or at an angle that was difficult for drivers to see.
- Some locations lacked directional signs to indicate the accessible path of travel.
- Not all of the voter information signs required by law were posted in all polling places. This is especially true of the sign indicating that no electioneering is allowed within 100 feet of the polling place. This required sign was missing from most of the polling places observed, or in many instances, was placed right beside the entrance to the polling place. Since the sign reads “No Electioneering beyond this point” and is supposed to be posted 100 feet from the entrance, posting it at the doorway provided incomplete information.

Although many county elections officials have significantly improved their directional and polling place signage since these problems were reported by observers during the 2006 election cycle, overall this is an area that still needs to be improved. SOS staff will continue to work with county elections offices to find solutions to this problem.

Another common problem was the lack of space in most polling places to post all of the required signs in all of the required languages. Those counties that give their poll workers three-sided folding boards or sign kiosks on which all necessary signs were posted had a higher percentage of compliance than was noted in other counties.

### Polling Facilities

The most common problem seen by SOS observers occurred when voters came to the polling location and learned that they had actually been assigned to a new polling place. Poll workers directed these voters to the correct polling places or offered them a provisional ballot.

County elections officials continue to report difficulties in finding appropriately available and accessible buildings to use as polling places. Some county officials were unsure of how to determine accessibility, due to the large volume of regulations, both state and

federal that could be applied. In the spring of 2008 and again in the winter of 2012, the SOS and the California Department of Rehabilitation offered a series of training classes for county election officials on the recently published Secretary of State Polling Place Accessibility Guidelines. County elections officials were instructed how to use the guidelines to assess the accessibility of polling places in their counties. This training, combined with a series of HAVA accessibility grants made to counties over the past several years, has allowed many counties to improve the accessibility of their polling places. This continued improvement was noted by the SOS observers during this election.

Indoor and outdoor lighting challenges and signage indicating accessible path of travel appear to be the most common reported problems encountered at polling places that are otherwise accessible or mitigated to be accessible.

### Voting Equipment

There were few reports of problems with voting equipment. The most frequent challenges noted were not enough wheelchair accessible voting booths in some polling places and a lack of privacy shields for voters.

### Poll Worker Training

In most counties, poll workers reported that their training was excellent, and our observers noted that overall the workers were knowledgeable, helpful, and sensitive to the needs of voters. Poll workers in some counties seemed to be somewhat intimidated by the electronic equipment and would most likely benefit from additional training on the equipment.

Two counties discontinued the printing of manuals for all poll workers. Our observers noted that this year (as has been the case in past years) new poll workers reported studying their manuals after the training session and before Election Day and relied on them as references on Election Day. The counties that did not furnish them to all poll workers gave them only to the Inspector at each polling place and charged the Inspector with explaining the Top Two Candidates Open Primary, instructions on the use of provisional ballots, and other complex issues to voters. This created problems when the inspector was on a break or otherwise occupied and a voter had questions or problems.

### Creative Solutions

Poll workers and county elections officials were able to avoid common problems or solve them quickly by applying creative solutions. Aside from those that were noted above, others include:

- Poll workers at one polling place that housed four precincts appointed a greeter to direct incoming voters to the correct table and also to explain which ballots were available on request to voters registered as “No Party Preference.”
- At a school where the polling place was somewhat distant from the parking lot, poll workers placed balloons along the path of travel to direct voters to the correct building and room.